

Montague Conservation Commission

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Thursday, February 14, 2013 – 6:30 pm
Second Floor Meeting Room, Town Hall, One Avenue A, Turners Falls, MA

Commissioners Present: Mark Fairbrother- Chair, Sean Werle, Addie Holland, Donna Francis and Justin Fermann.

Commissioners Absent: Deb Picking

Staff Present: Walter Ramsey- Agent, Anne Stuart – Planning & Conservation Clerk

Approval of December 13, 2012 Minutes:

Motion was made by Justin F. to accept the December 13, 2012 minutes. Seconded by Addie H. Motion passed. Donna F. abstained from vote.

Approval of January 10, 2013 Minutes:

Motion was made by Addie H. to accept the January 10, 2013 minutes. Seconded by Justin F. Motion passed. Donna F. abstained from vote.

6:30 PM Public Hearing: NOI #2009-03-Unity Park Improvements- Montague Parks and Recreation Department – Amendment to Order of Conditions for DEP File # 229-0224 by the Montague Parks and Recreation Department.

As an alternative to offsite riverbank restoration on the banks of the Connecticut River the applicant proposes to develop a 2,500 square foot butterfly garden to meet the riverfront impact compliance standards under M.G.L. 310 CMR for Unity Park Phase II improvements (Assessors Map 4, Lot 10, 11, 12 and 103).

Guests: Bruce Hunter - FCRHA, Carlos Nieto-Mattei – Berkshire Design Group, Jon Dobosz – Montague Parks and Recreation

The original Order of Conditions was issued on 2/4/2010 which approved a 13,000 square foot 2:1 offsite mitigation area along the Connecticut River bank per the Riverfront Protection Act. This is not possible anymore because of landowner issues. The Riverfront Protection Act language allows the equivalent level of environmental protection where square footage is not a relevant measure. The butterfly garden would promote the interests of wildlife and habitat restoration per the Wetland Protection Act. The garden would support 8 endangered butterfly species native to western Massachusetts. The commissioners would like to see onsite invasive plant species removed (if any are present). The Berkshire Design Group has not reported a feasible or realistic invasive species removal program as an alternative. The Parks and Recreation Department will come back to the Commission in February for a formal amendment request.

Carlos Nieto-Mattei, Landscape Architect with the Berkshire Design Group went over the finalized plans for the butterfly and rain garden highlighting the following:

There will be a 2,700 square foot Butterfly Garden and an additional 4,000 square foot rain garden located off the new parking lot. There will be an installation of 10 additional trees in the riverfront area (oak and red maple). The Berkshire Design Group indicated that the work will be completed between April – September 2013.

Motion made by Sean W. To close the hearing and make a finding that a portion of the mitigation approved in DEP file 220-224 namely the offsite mitigation of 13,000 SF of Connecticut River bank on property owned by FirstLight Power/GDF Suez is not feasible and there is no practical off-site mitigation in the riverfront area. As a practical alternative with no adverse impact under CMR 310 10.58(5) (g) the Commission approves the installation of the butterfly garden, rain garden, and the installation of the trees and to amend the Order of Conditions for DEP file 229-224 as such. Seconded by Donna F. All accepted. Motion passed.

Public Hearing: NOI #2013-01- filed by Thomas Memorial Country Club for a proposal to dredge up to 90 cubic yards of organic material from an irrigation impoundment.

Guests: Mark Sicard – Thomas Memorial Country Club, Ron Sicard –Audience and Arthur Neipp - Abutter

Mark S. from Thomas Memorial Country Club (TMCC) presented the proposed project to dredge up to 90 cubic yards of organic materials from an irrigation impoundment. The organic material build up is from 20 years of sand and silt flowing into the impoundment; most recently during storms (Irene and Sandy) which have greatly impacted the area and this particular impoundment. In addition, the flushing of municipal hydrants upgradient influence the rate of deposition in the impoundment. Mark prepared the Notice of Intent without the services of an environmental consultant.

Mark Sicard:

- The pond is currently 4-5 feet in depth.
- Mark S. and TMCC can provide a gravel road to access the location.
- The use of swamp mats to protect the surrounding area.

Agent Report:

- Wetlands area is assumed.
- No adverse impact on NHESP habitat.
- The dredged materials would be stored on site, mixed with other materials and used on golf course where needed 100 feet away from wetlands.
- All water would be drained into the lower pond which has an 8” valve and should require no pumping as there is a gradual flow.
- If they are to go over the 90 cubic yards of dredging they will have to file with the Army Corps of Engineers.
- Agent recommends work to be done between Nov 15 and April 1 to minimize habitat impacts.
- DEP comments have not been received and a file number has not yet been issued. The commission cannot issue an OOC at this meeting.

Abutter’s comments:

- Arthur Neipp is concerned because his property has two streams that run into TMCC during the spring and notes that this area is a habitat for many native frogs and plantings. He wanted to know if the spot was originally a pond at TMCC or just a “wet spot”. It was confirmed By Mark S. that the spot was originally a pond as far back as he could remember. Arthur N. brought up the issue of chloride water coming from the town drains – Walter R. will check with Highway Department on this issue.

Mark F: DEP comments have not yet be received so an Order of Conditions cannot be issued today.

Mark S. requested that the commission continue the hearing to March 14, 2013 at 6:30 PM. All committee members were in agreement for the date and time of the continuation.

Motion made by Sean W. to continue the public hearing to March 14, 2013 at 6:30 PM. Seconded by Addie H. Motion passes.

Motion made by Addie H. to adjourn the meeting. Seconded by Donna F. Motion passes.

Meeting adjourned at approximately 7:39 PM

Approved by: _____ Date: _____